

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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CHRISTIAN FULKERSON,

Plaintiff,

v.

THRIVE MARKET, INC., *et al.*,

Defendants.

Case No. 3:20-cv-00512-MMD-WGC

ORDER

Before the Court is Defendants Thrive Market, Inc. and Levonne Collins' Motion to Dismiss ("Motion"). (ECF No. 11.) Defendants assert that Mr. Health Fulkerson has fraudulently filed a complaint on behalf of his estranged wife, named plaintiff Christian Fulkerson. (*Id.* at 2.) Defendants accordingly argue that the complaint is unauthorized (*id.* at 3), that plaintiff has failed to exhaust her administrative remedies to pursue a claim for employment discrimination (*id.* at 3-4), and that plaintiff has waived her claims by accepting severance in exchange for a release of any claims against Defendants (*id.* at 4-5).

"The failure of an opposing party to file points and authorities in response to any motion, except a motion under Fed. R. Civ. P. 56 or a motion for attorney's fees, constitutes a consent to the granting of the motion." LR 7-2(d). Defendants filed their Motion on November 10, 2020, and Plaintiff's response was due by November 24, 2020. (ECF No. 11.) The Court also issued a minute order on November 12, 2020, warning Plaintiff that judgment could be entered against her if she fails to timely respond. (ECF No. 13.)

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1 It is therefore ordered that the above entitled action is dismissed without prejudice
2 pursuant to LR 7-2(d).

3 The Clerk of Court is directed to enter judgment accordingly and close this case.

4 DATED THIS 2nd Day of December 2020.

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MIRANDA M. DU
8 CHIEF UNITED STATES DISTRICT JUDGE
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